

**BOARD OF MEDICAL EXAMINERS  
COMMITTEE FOR CLINICAL PERFUSIONISTS**

**MINUTES**

**Date:** May 3, 2005

**Time:** 10:00 A.M., CST

**Locations:** Cumberland Room  
Ground Floor, Cordell Hull Building  
425 Fifth Avenue North  
Nashville, TN 37247

**Members Present:** Gary Beckman, Chairman  
William Young, Vice Chairman  
Howard Briscoe  
Paul Robinson

**Members Absent:** Dr. Phillip Brown  
Gwen Bonner

**Staff Present:** Marsha Arnold, Unit Manager  
Rebecca Brown, Board Administrator  
Jerry Kosten, Regulation Manager  
Robert Kraemer, Advisory Attorney  
Rosemarie Otto, Executive Director

A quorum being present, Mr. Beckman called the meeting to order at 10:07 A. M., CST.

**Approval of Minutes**

After reviewing the minutes from the August 10, 2004, February 8, 2005 and February 23, 2005 meetings as presented, Mr. Robinson made a motion to approve and Mr. Briscoe seconded the motion. The motion carried unanimously.

**Office of General Counsel**

Mr. Kraemer informed the Committee of various Housekeeping Rules.

**Disciplinary Rule – (03-1317)** was signed by the Attorney General and filed with Secretary of State on September 24, 2004. The Disciplinary Rule became effective December 8, 2004.

**Dual Fee Deletion - (04-1049)** was signed by the Attorney General and filed with the Secretary of State on March 10, 2005. The Dual Fee Deletion Rule will become effective on May 24, 2005.

### **Financial Report**

Ms. Rosemarie Otto, Executive Director from the Board of Medical Examiners, explained to the Committee a projected cumulative carryover as of the June 30, 2004 of \$55,100.76. Ms. Otto advised the Committee that it would incur some modest expenses in the near future such as expenses associated with the Health Related Boards upgrade of its computer system and their move in September 2005 to the new location. These expenses should have a very minimal impact on the Committee's bottom line.

### **Investigations Report**

Ms. Otto reported that she has been informed by Denise Moran, Director of Investigations, that there have not been any complaints filed against any licensee from this Committee.

### **Disciplinary Coordinator**

Ms. Otto informed the Committee there were no licensees currently being monitored by the Department's disciplinary coordinator.

### **Rulemaking Hearing Report**

Mr. Kosten, Regulations Manager, Division of Health Related Boards, held a discussion regarding mandatory criminal background checks for all new applicants. Dr. Kenneth Robinson, Commissioner of the Department of Health has requested that all boards, councils and committees require criminal background checks of new applicants.

Mr. Robinson made a motion to authorize the rulemaking hearing and Mr. Young seconded the motion. The motion carried unanimously.

### **Provisional Licensure**

Mr. Beckman held a discussion concerning re-application for a provisional license if an applicant fails the ABCP Exam. Mr. Kraemer stated the statute (T.C.A. 63-28-108 (d)) implies a person who failed the exam cannot reapply for another provisional license. Mr. Beckman submitted supporting documents where other states allow for re-application that have the same wording in the statute as Tennessee.

Mr. Beckman made the statement that there was going to be a problem with employers hiring new graduates if provisional licensees could not reapply if they failed the exam. It was Mr. Beckman's view that if the Committee did not allow for re-application for a provisional license the cost of providing clinical perfusion services would be driven up

unnecessarily. Employers would be less likely to hire a provisional licensee, thereby possibly creating a shortage of qualified clinical perfusionists and thus driving up healthcare costs.

Mr. Kraemer stated that there was no mechanism in the statute to authorize anyone who fails the exam to practice. He suggested the Committee request an Attorney General's opinion interpreting T.C.A. 63-28-108 and start working towards legislation to delete T.C.A. 63-28-108 (d).

Mr. Young made a motion to seek the Attorney General's Opinion and Mr. Robinson seconded the motion. The motion carried unanimously.

Mr. Beckman will draft a letter, which he will send to Mr. Kraemer for review. The letter will be submitted to the to the Attorney General's Office by Mr. Kraemer after approval by the Board of Medical Examiners.

#### **File Review and Approval of Applicants**

Mr. Young moved to approve Michael John Lucas for licensure and Mr. Briscoe seconded the motion. The motion passed unanimously.

#### **Noteworthy Information**

The Committee did not have any request at this meeting concerning the Internet.

#### **Next Meeting**

The next scheduled meeting for the Committee will be Tuesday, August 16, 2005 in the Cumberland Room on the Ground Floor of the Cordell Hull Building at 10:00 A.M., CST.

#### **Adjournment**

With no further business, Mr. Robinson made a motion to adjourn. Mr. Young seconded the motion. The motion carried and the Committee adjourned at 10:41 A.M., CST.

The Committee ratified these minutes on October 25, 2005 meeting.

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**William Young, Vice Chairman**

